



महाराष्ट्र शासन राजपत्र

असाधारण भाग एक—कोकण विभागीय पुरवणी

वर्ष ७, अंक ३४]

शुक्रवार, जून १८, २०२१/ज्येष्ठ २८, शके १९४३

[पृष्ठ ८, किंमत : रुपये ११.००

असाधारण क्रमांक ४४

प्राधिकृत प्रकाशन

नगरविकास विभाग

मंत्रालय, मुंबई ४०० ०३२, दिनांक १६ जून २०२१.

अधिसूचना

महाराष्ट्र प्रादेशिक नियोजन व नगररचना अधिनियम, १९६६.

क्रमांक टीपीएस. १८१८/प्र.क्र.२३६/१८(भाग-३)/कलम-३७ (१कक)(ग) व कलम २०(४)/फेरबदल/नवि-१३.— ज्याअर्थी, महाराष्ट्र शासनाने राज्यातील बृहन्मुंबई महानगरपालिका, बृहन्मुंबई महानगरपालिका क्षेत्रातील नियोजन प्राधिकरणे/विशेष नियोजन प्राधिकरणे/विकास प्राधिकरणे, महाराष्ट्र औद्योगिक विकास महामंडळ, नैना, जवाहरलाल नेहरू पोर्ट ट्रस्ट, हिल स्टेशन नगरपालिका, पर्यावरण, वन व हवामान बदल मंत्रालयाने अधिसूचित केलेली संवेदनशील क्षेत्रे व लोणावळा नगरपरिषद तसेच नियोजन प्राधिकरण म्हणून सिडको कार्यरत असलेले क्षेत्र, पिंपरी-चिंचवड नवनगर विकास प्राधिकरण, मिहान, एमएडीसी, एमएसआरडीसी, ही नियोजन प्राधिकरणे वगळता उर्वरित सर्व नियोजन प्राधिकरणे व प्रादेशिक योजना क्षेत्रांकरिता लागू करावयाच्या एकत्रिकृत विकास नियंत्रण व प्रोत्साहन नियमावलीस (“ युनडीसीपीआर ”) महाराष्ट्र प्रादेशिक नियोजन व नगररचना अधिनियम, १९६६. (यापुढे ज्याचा उल्लेख “ उक्त अधिनियम ” असा करण्यात आलेला आहे.) मधील तरतुदीनुसार, शासन अधिसूचना क्रमांक टीपीएस. १८१८/प्र.क्र. २३६/१८/वियो. व प्रायो./कलम ३७(१कक)(ग) व कलम २०(४)/नवि-१३, दिनांक २ डिसेंबर २०२० अन्वये मंजुरी दिली असून सदर नियमावली, पुणे महानगर प्रदेश विकास प्राधिकरण व रत्नागिरी जिल्हा प्रादेशिक योजनेचे क्षेत्र वगळता, दिनांक ३ डिसेंबर २०२० पासून अंमलात आली आहे ;

आणि ज्याअर्थी, शासनाने नियोजन प्राधिकरण म्हणून सिडकोचे क्षेत्र, पिंपरी-चिंचवड नवनगर विकास प्राधिकरण क्षेत्र, मल्टीमोडल इंटरनॅशनल हब एअरपोर्ट मिहान) अधिसूचित क्षेत्र, विशेष नियोजन प्राधिकरण म्हणून महाराष्ट्र विमानतळ विकास कंपनी लि. चे (एमएडीसी) शिर्डी विमानतळ अधिसूचित क्षेत्र आणि विशेष नियोजन प्राधिकरण म्हणून महाराष्ट्र राज्य रस्ते विकास महामंडळाचे अधिसूचित क्षेत्र, या क्षेत्रांना उक्त मंजूर एकत्रिकृत विकास नियंत्रण व प्रोत्साहन नियमावली लागू करण्यासाठी उक्त अधिनियमाच्या कलम ३७(१कक) व कलम २०(३) अन्वये अनुक्रमे सूचना क्रमांक टीपीएस. १८१८/प्र.क्र. २३६/१८/कलम ३७(१कक) व कलम २०(३)/नवि-१३, दिनांक २ डिसेंबर २०२० आणि सूचना क्रमांक टीपीएस. १८१८/प्र.क्र. २३६/१८/कलम २०(३)/नवि-१३, दिनांक २ डिसेंबर २०२० प्रसिद्ध केल्या असून कलम १५४ नुसार अनुक्रमे निर्णय क्रमांक टीपीएस. १८१८/प्र.क्र. २३६/१८/कलम ३७(१कक) व कलम २०(३)/नवि-१३, दिनांक २ डिसेंबर २०२० आणि क्रमांक टीपीएस. १८१८/प्र.क्र. २३६/१८/कलम २०(३)/नवि-१३, दिनांक २ डिसेंबर २०२० अन्वये निदेश दिलेले आहेत ;

आणि ज्याअर्थी, उक्त मंजूर एकत्रिकृत विकास नियंत्रण व प्रोत्साहन नियमावलीतील काही तरतुदी सूधारीत करणे आवश्यक आहे, (यापुढे ज्याचा उल्लेख “ उक्त फेरबदल ” असा करण्यात आलेला आहे.) असे शासनाचे मत झाले ;

(१)

आणि ज्याअर्थी, उक्त अधिनियमांच्या कलम ३७(१कक)(क) व कलम २०(३) मधील तरतुदीप्रमाणे शासनास प्राप्त अधिकारानुसार उक्त फेरबदलाबाबत शासन नगरविकास विभागाने इरादा जाहीर केला आहे. आणि प्रस्तावित फेरबदलासंदर्भात आम जनतेकडून सूचना/हरकती मागविण्यासाठी सूचना क्रमांक टिपीएस. १८१८/प्र.क्र. २३६/१८/कलम ३७(१कक) व कलम २०(३)/फेरबदल/नवि-१३, दिनांक २ डिसेंबर २०२० आणि त्यास पूरकपत्र क्रमांक टिपीएस. १८१८/प्र.क्र. २३६/१८/कलम ३७(१कक) व कलम २०(३)/पूरकपत्र/नवि-१३, दिनांक ९ डिसेंबर २०२० प्रसिद्ध केले असून सदर सूचना व पूरकपत्र अनुक्रमे दिनांक ३ डिसेंबर २०२० व दिनांक १० डिसेंबर २०२० रोजीच्या **महाराष्ट्र शासन राजपत्र**, असाधारण भाग एक-मध्य उप विभाग मध्ये प्रसिद्ध झाली आहे. तसेच प्राप्त होणाऱ्या सूचना/हरकतीवर संबंधितांना सुनावणी देण्याकरिता तसेच संबंधित नियोजन प्राधिकरणांचे म्हणणे घेऊन त्यावरील अहवाल शासनास सादर करण्याकरिता संबंधित विभागांचे विभागीय सहसंचालक, नगररचना यांची 'अधिकारी' म्हणून (यापुढे 'उक्त अधिकारी' असे उल्लेखिलेले) नियुक्ती करण्यात आली आहे ;

आणि ज्याअर्थी, संबंधित उक्त नियुक्त अधिकारी यांनी, ज्याप्रमाणे लागू असेल त्याप्रमाणे, उक्त अधिनियमाच्या कलम ३७ (१कक) आणि कलम २० मधील तरतुदीनुसारची, वैधानिक कार्यवाही पूर्ण करून त्यांचे अहवाल शासनास सादर केले आहेत ;

आणि ज्याअर्थी, संबंधित उक्त नियुक्त अधिकारी यांचे अहवाल विचारात घेतल्यानंतर आणि संचालक, नगररचना, महाराष्ट्र राज्य, पुणे यांचेशी सल्लामसलत केल्यानंतर उक्त प्रस्तावित फेरबदल, काही सुधारणांसह मंजूर करणे आवश्यक असल्याचे शासनाचे मत झाले आहे.

आता त्याअर्थी, उक्त अधिनियमाच्या कलम ३७(१कक)(ग) आणि कलम २०(४) अन्वये प्रदत्त असलेल्या अधिकारांचा वापर करून शासन याद्वारे :—

(अ) उक्त मंजूर एकत्रिकृत विकास नियंत्रण व प्रोत्साहन नियमावलीतील काही तरतुदींमधील फेरबदलांना काही सुधारणांसह, सोबतच्या परिशिष्ट-अ मध्ये सविस्तरपणे नमूद केल्याप्रमाणे, मंजूरी देत आहे.

(ब) सदर मंजूर फेरबदल, सदर अधिसूचना **शासन राजपत्रात** प्रसिद्ध झाल्याच्या दिनांकापासून अंमलात येईल. असे निश्चित करीत आहे.

प्रस्तुत अधिसूचना, त्यासोबतच्या परिशिष्टासह, सर्व संबंधित नियोजन प्राधिकरणे आणि नगररचना आणि मूल्यनिर्धारण विभागाची सर्व विभागीय कार्यालये, सर्व जिल्हा शाखा कार्यालये, सर्व जिल्हाधिकारी कार्यालये, सर्व जिल्हा परिषदा कार्यालये यांचे कार्यालयात नागरिकांच्या अवलोकनार्थ १ महिन्यांच्या कालावधीसाठी उपलब्ध राहील.

प्रस्तुत फेरबदलाची अधिसूचना, त्यासोबतच्या परीशिष्टासह, शासनाच्या www.maharashtra.gov.in (कायदे/नियम) या संकेतस्थळावर उपलब्ध करण्यात येत आहे.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने.

किशोर गोखले,
शासनाचे अवर सचिव.

परिशिष्ट - अ

अधिसूचना क्रमांक टिपीएस-१८१८/प्र.क्र. २३६/१८ (भाग-३)/कलम ३७(१कक)(ग) व कलम २०(४)/फेरबदल/नवि-१३,
दिनांक १६ जून २०२१.

(1) The existing table in Regulation No.3.5.1-Provision for Amenity Space is replaced as follows —

Area of Land	Minimum Amenity Space to be provided.
(a) less than 20000 sq.m.	Nil.
(b) 20000 sq.m. or more	5% of the total area

(2) The following modifications are sanctioned in Regulation No.7.4 —

(a) In Regulation No.7.4.1 (i and ii), the figure ‘2.5’ is replaced by ‘3.0’. Also, wherever the figure of 2.5 appeared in the said regulation No.7.4 is replaced by 3.0.

(b) 7.4.1 Development / re-development of housing schemes of Maharashtra Housing and Area Development Authority shall be subject to the following provisions :—

(i) The FSI for a new scheme of Low Cost Housing, implemented by MHADA departmentally on vacant lands for Economically Weaker Sections (EWS), Low Income Group (LIG) and Middle Income Group (MIG) categories shall be 3.00 or maximum building potential as per road width (Regulation No. 6.1 or 6.2) whichever is maximum, on the **Gross Plot Area** and at least 60% built-up area in such scheme shall be in the form of tenements under the EWS, LIG and MIG categories, as defined by the Government in Housing Department from time to time.

(3) Proposed Modification in Regulation No.7.6.1 —

Kept in abeyance.

(4) In Chapter 7, following new regulation is added as Regulation No.7.13 as follows -

7.13 - COMMERCIAL BUILDINGS IN CBD, COMMERCIAL, RESIDENTIAL ZONE IN PLANNING AUTHORITIES AREAS —

Additional FSI for Commercial user development in Central Business District (CBD) or plot situated in Residential or Commercial Zone or Independent plot wherein Residential or Commercial uses allowed in Industrial zone ” :

The Authority may allow FSI up to 5.0 including permissible FSI as per provision of regulation No. 6.3, Table No.6-G in Chapter-6 for commercial user / development on plots marked as CBD or plots situated in Residential or Commercial zone or independent plot wherein Residential or Commercial uses allowed in Industrial zone after compliance of Regulation No.4.8.1 of these Regulations subject to the condition that permissible FSI as per Table No.6-G will be utilized first and the additional FSI under this Regulation on payment of premium subject to following conditions. :—

(1) Additional FSI shall be allowed for plots which are not reserved / designated in the DP except affected by proposed DP roads / sanctioned regular line of street under MMC Act and parking reservation.

(2) The development of reserved / designated plots in CBD shall be governed by provisions of these Regulations.

(3) Development for residential purpose to the extent of maximum 30% of the permissible FSI as per provisions of Regulation No.6.3, Table No.6-G may be allowed. Additional FSI as per this regulation shall not be permissible for residential user / development.

(4) Premium for granting such additional BUA beyond permissible FSI as per Table No.6-G shall be charged at the rate of 50% of ASR for land and shall be equally shared between the GoM and the Authority.

(5) Provision of Inclusive Housing shall not be applicable for development in CBD.

Provided further that in case the entire commercial development is on a plot situated in Commercial zone / independent plot in Residential zone, and satisfies other related provisions of these regulations, the Authority may allow FSI as detailed below including permissible FSI as per provision of Regulation No.6.3, Table No.6-G for commercial uses / development on area of plots excluding area covered under reservation / designation in the DP except affected by proposed DP roads / sanctioned RL under MMC Act, on payment of premium for built up area @ 50% of ASR for open developed land for FSI 1 and shall be equally shared between the GoM and Authority. In this case, no residential development will be allowed on such plot.

Sr. No.	Minimum	Maximum Permissible FSI
1	12 m.	3
2	18 m.	4
3	27 m.	5

(5) Proposed modification in the provision in Regulation No.14.7.8 (iii) -

Notification in this regard will be issued separately.

(6) Proposed modification in the provision in Regulation No.14.7.8 (iv) -

Notification in this regard will be issued separately.

(7) Proposed modification in the provision in Regulation No.14.8.6 (i) -

Notification in this regard will be issued separately.

किशोर गोखले,
शासनाचे अवर सचिव.

URBAN DEVELOPMENT DEPARTMENT

Mantralaya, Mumbai 400 032, dated 16th June 2021

NOTIFICATION

THE MAHARASHTRA REGIONAL AND TOWN PLANNING ACT, 1966.

No.TPS. 1818/CR-236/18 (Part-3)/Sec.37 (1AA)(c) & Sec.20(4)/Modification/UD-13.—Whereas, the Government of Maharashtra has sanctioned the Unified Development Control and Promotion Regulations ('UDCPR') for the state except Municipal Corporation of Greater Mumbai, other Planning Authorities / Special Planning Authorities / Development Authorities within the limits of Municipal Corporation of Greater Mumbai, MIDC, NAINA, Jawaharlal Nehru Port Trust, Hill Station Municipal Councils, Eco-Sensitive/ Eco-Fragile region notified by MoEF & CC and Lonavala Municipal Council and Area under CIDCO's jurisdiction as Planning Authority, PCNTDA, MIHAN, MADC, MSRDC, in Maharashtra under the provisions of the Maharashtra Regional & Town Planning Act, 1966 (hereinafter referred to as 'the said Act') *vide* Notification No.TPS-1818/CR.236/18/DP. & RP./Sec.37 (1AA)(c) & sec.20(4)/UD-13, dated 2nd December 2020 which has come into force from 3rd December 2020, excluding area of Pune Metropolitan Region Development Authority and Regional Plan of Ratnagiri District ;

And whereas, to make applicable the said sanctioned Unified Development Control and Promotion Regulations for the area of CIDCO as Planning Authority, for the area of Pimpri-Chinchwad New Town Development Authority, for the area of Multi-Model International Hub Airport Notified area (MIHAN), for Shirdi Airport Notified area of Maharashtra Airport Development Company Ltd. (MADC) as Special Planning Authority and for notified area of Maharashtra State Road Development Corporation as Special Planning Authority, the Government has published Notices under section 37(1AA) & section 20(3) of the said Act, bearing No.TPS. 1818/CR-236/18/Sec.37(1AA) & Sec.20(3)/UD-13, dated 2nd December 2020 and No.TPS-1818/CR-236/18/Sec.20(3)/UD-13, dated 2nd December 2020 respectively, along with directives under section 154 of the said Act, 1966 *vide* resolutions No.TPS-1818/CR-236/18/Sec.37(1AA) & Sec.20(3)/UD-13, dated 2nd December 2020 and No.TPS-1818/CR-236/18/Sec.20(3)/UD-13, dated 2nd December 2020 respectively ;

And whereas, the Government is of opinion that, it is necessary to modify some provisions of the said sanctioned Unified Development Control and Promotion Regulations (hereinafter referred to as 'the said modification') ;

And whereas, in exercise of the powers conferred under section 37(1AA)(a) and section 20(3) of the said Act, the Government in Urban Development Department has declared its intention regarding the said modification and published a Notice No.TPS-1818/CR-236/18/Sec.37(1AA) & Sec.20(3)/Modification/UD-13, dated 2nd December 2020 & Addendum No.TPS-1818/CR-236/18/Sec.37 (1AA) & Sec.20(3)/Addendum/UD-13, dated 9th December 2020 to that effect, for inviting suggestions/objections from the general public, which is appeared in the Maharashtra Government Gazette, extra-ordinary part-1, central sub-division dated 3rd December 2020 and dated 10th December 2020 respectively. Divisional Joint Directors of Town Planning of concerned Divisions are appointed as 'Officer' (hereinafter referred to as 'the said Officers') to hear the suggestions and objections which are received and also say of the respective Planning Authorities and submit their reports to the Government ;

And whereas, the said Officers have submitted their reports to the Government after completing the legal procedure as contemplated under section 37(1AA) and 20(3) of the said Act, as the case may be ;

And whereas, after considering the reports of the said Officers and after consulting the Director of Town Planning, Maharashtra State, Pune the Government is of the opinion that the said proposed modification needs to be sanction, with some changes;

Now therefore, in exercise of the powers conferred under section 37(AA)(c) and section 20(4) of the said Act, the Government hereby :—

(A) Sanctions the modifications, with some changes, in some provisions of sanctioned Unified Development Control and Promotion Regulations, as specifically mention in schedule-A appended herewith.

(B) Fixes the date of publication of this Notification in *Government Gazette* as the date of coming into force of these sanctioned modifications.

This Notification along with the schedule shall be available in the offices of all concerned Planning Authorities, all Divisional Offices and District Branch Offices of Town Planning and Valuation Department, all Collector Offices, all Zilla Parishad Offices for inspection of general public for a period of one month.

This notification of modification is made available on the Government website *www.maharashtra.gov.in (Acts/Rules)*

By order and in the name of the Governor of Maharashtra,

KISHOR GOKHALE,
Under Secretary to Government.

Schedule-A

Accompaniment of Notification No.TPS-1818/CR.236/18 (Part-3)/Sec.37(1AA)(c) & Sec. 20(4)/

Modification/UD-13, dated 16th June 2021

(1) The existing table in Regulation No. 3.5.1-Provision for Amenity Space is replaced as follows —

Area of Land	Minimum Amenity Space to be provided.
(a) less than 20000 sq.m.	Nil.
(b) 20000 sq.m. or more	5% of the total area

(2) The following modifications are sanctioned in Regulation No. 7.4 —

- In Regulation No.7.4.1 (i and ii), the figure '2.5' is replaced by '**3.0**'. Also, wherever the figure of 2.5 appeared in the said regulation No.7.4 is replaced by **3.0**.
- 7.4.1 Development / re-development of housing schemes of Maharashtra Housing and Area Development Authority shall be subject to the following provisions :-
 - The FSI for a new scheme of Low Cost Housing, implemented by MHADA departmentally on vacant lands for Economically Weaker Sections (EWS), Low Income Group (LIG) and Middle Income Group (MIG) categories shall be 3.00 or maximum building potential as per road width (Regulation No. 6.1 or 6.2) whichever is maximum, on the **Gross Plot Area** and at least 60% built-up area in such scheme shall be in the form of tenements under the EWS, LIG and MIG categories, as defined by the Government in Housing Department from time to time.

(3) Proposed Modification in Regulation No. 7.6.1 -

Kept in abeyance.

(4) In Chapter 7, following new regulation is added as Regulation No. 7.13 as follows -

7.13 - COMMERCIAL BUILDINGS IN CBD, COMMERCIAL, RESIDENTIAL ZONE IN PLANNING AUTHORITIES AREAS -

Additional FSI for Commercial user development in Central Business District (CBD) or plot situated in Residential or Commercial Zone or Independent plot wherein Residential or Commercial uses allowed in Industrial zone ” :

The Authority may allow FSI up to 5.0 including permissible FSI as per provision of regulation No.6.3, Table No.6-G in Chapter-6 for commercial user / development on plots marked as CBD or plots situated in Residential or Commercial zone or independent plot wherein Residential or Commercial uses allowed in Industrial zone after compliance of Regulation No.4.8.1 of these Regulations subject to the condition that permissible FSI as per Table No.6-G will be utilized first and the additional FSI under this Regulation on payment of premium subject to following conditions :—

- Additional FSI shall be allowed for plots which are not reserved / designated in the DP except affected by proposed DP roads / sanctioned regular line of street under MMC Act and parking reservation.

- (2) The development of reserved / designated plots in CBD shall be governed by provisions of these Regulations.
- (3) Development for residential purpose to the extent of maximum 30% of the permissible FSI as per provisions of Regulation No.6.3, Table No. 6-G may be allowed. Additional FSI as per this regulation shall not be permissible for residential user / development.
- (4) Premium for granting such additional BUA beyond permissible FSI as per Table No.6-G shall be charged at the rate of 50% of ASR for land and shall be equally shared between the GoM and the Authority.
- (5) Provision of Inclusive Housing shall not be applicable for development in CBD.

Provided further that in case the entire commercial development is on a plot situated in Commercial zone / independent plot in Residential zone, and satisfies other related provisions of these regulations, the Authority may allow FSI as detailed below including permissible FSI as per provision of Regulation No.6.3, Table No.6-G for commercial uses / development on area of plots excluding area covered under reservation / designation in the DP except affected by proposed DP roads / sanctioned RL under MMC Act, on payment of premium for built up area @ 50% of ASR for open developed land for FSI 1 and shall be equally shared between the GoM and Authority. In this case, no residential development will be allowed on such plot.

Sr. No.	Minimum	Maximum Permissible FSI
1	12 m.	3
2	18 m.	4
3	27 m.	5

(5) Proposed modification in the provision in Regulation No. 14.7.8 (iii) -

Notification in this regard will be issued separately.

(6) Proposed modification in the provision in Regulation No. 14.7.8 (iv) -

Notification in this regard will be issued separately.

(7) Proposed modification in the provision in Regulation No. 14.8.6 (i) -

Notification in this regard will be issued separately.

KISHOR GOKHALE,
Under Secretary to Government.